

**Merchant & Gould**

An Intellectual Property Law Firm

RECEIVED  
CENTRAL FAX CENTER

MAR 28 2005

3200 IDS Center  
80 South Eighth Street  
Minneapolis, Minnesota  
55402-2215 USA  
TEL 612.332.5300  
FAX 612.332.9081  
www.merchant-  
gould.com

A Professional Corporation

Fax Transmission | March 28, 2005TO: Commissioner for Patents  
Attn: Examiner Peter Vincent Agustin  
P.O. Box 1450  
Alexandria, VA 22313-1450

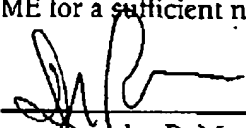
FROM: Douglas P. Mueller

OUR REF: 10873.887USWO  
TELEPHONE: 612.371.5237Total pages, including cover letter: 10PTO FAX NUMBER 1-703.872.9306

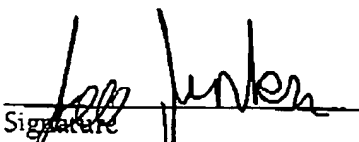
If you do NOT receive all of the pages, please telephone us at 612.336.4664, or fax us at 612.332.9081.

Title of Document Transmitted: Amendment  
Applicant: Nakanishi et al.  
Serial No.: 10/070,288  
Filed: February 28, 2002  
Group Art Unit: 2652  
Our Ref. No.: 10873.887USWO  
Confirmation No. 4606

Please charge any additional fees or credit overpayment to Deposit Account No. 13-2725. Please consider this a PETITION FOR EXTENSION OF TIME for a sufficient number of months to enter these papers, if appropriate.

By:   
Name: Douglas P. Mueller  
Reg. No. 30,300

I hereby certify that this paper is being transmitted by facsimile to the U.S. Patent and Trademark Office on the date shown below.

  
Signature3-28-05  
Date

MAR 28 2005

RESPONSE UNDER 37 C.F.R. 1.116  
EXPEDITED PROCEDURE  
EXAMINING GROUP 2652

S/N 10/070,288

PATENTIN THE UNITED STATES PATENT AND TRADEMARK OFFICE

|             |   |                 |               |
|-------------|---|-----------------|---------------|
| Applicant:  | NAKANISHI ET AL.  | Examiner:       | AGUSTIN       |
| Serial No.: | 10/070,288  | Group Art Unit: | 2652          |
| Filed:      | FEBRUARY 28, 2002   | Docket No.:     | 10873.887USWO |
| Title:      | OPTICAL ELEMENT, SEMICONDUCTOR DEVICE, AND OPTICAL<br>INFORMATION RECORDING DEVICE EMPLOYING THE SAME |                 |               |

CERTIFICATE UNDER 37 CFR 1.64(d)

I hereby certify that this paper is being transmitted by facsimile to the U.S. Patent and Trademark Office on March 28, 2005.

By:   
Name: Sam J. JonesAMENDMENT

Mail Stop AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450



Dear Sir:

In response to the Office Action mailed December 29, 2004, please amend the above-identified application as follows:

Amendments to the Claims are reflected in the listing of claims that begins on page 2 of this paper.

Remarks begin on page 7 of this paper.